



"The City With a Heart"

Jim Ruane, Mayor
Rico E. Medina, Vice Mayor
Ken Ibarra, Councilmember
Irene O'Connell, Councilmember
Michael Salazar, Councilmember

MINUTES
CITY COUNCIL MEETING
March 9, 2010
7:00 p.m.

1. CALL TO ORDER: THIS IS TO CERTIFY THAT the San Bruno City Council met in regular session on March 9, 2010 at San Bruno's City Hall, 567 El Camino Real, San Bruno, CA. The meeting was called to order at 7:00 p.m.

Mayor Ruane thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Ruane, Vice Mayor Medina and Councilmembers O'Connell, Ibarra and Salazar in attendance. Recording by Clerk Bonner. **City Attorney Thompson** led the Pledge of Allegiance.

3. ANNOUNCEMENTS: None.

4. PRESENTATIONS:

Mayor Ruane introduced **Management Analyst Shannon** who gave an overview of the ordinance. **Mayor Ruane** Presented Certificates to Food Service Establishments Recognizing their early Implementation of the Requirements of the City's Sustainable Food Packaging Ordinance, which will take effect April 1, 2010. There were 22 food establishments total and six were present this evening to receive their certificates, Carrot's Coffee & Tea, Don Pico's Bistro, Patio Filipino, Rib Shack, Howard Johnson Express Inn and San Bruno Senior Center.

5. REVIEW OF AGENDA:

Mayor Ruane moved Item 11. to follow Item 10.a., Bicycle and Pedestrian Annual Report.

6. APPROVAL OF MINUTES: Regular City Council Meeting of February 23. 2010, approved as submitted.

7. CONSENT CALENDAR:

- a. **Approve:** Payroll of February 14, 2010.
- b. **Approve:** Accounts Payable of February 16 and 22 and March 1, 2010.

M/S Medina/Ibarra to approve Consent Calendar and passed with all ayes.

8. PUBLIC HEARINGS:

Hold Public Hearing, Waive First Reading, and Introduce an Ordinance of the City of San Bruno amending Chapters 12.84, 12.96, 12.100, 12.108, 12.116, 12.120, 12.124, & 12.200 of Title 12 (LAND USE) of the San Bruno Municipal Code.

Community Development Director Aknin gave a brief introduction of the staff report and introduced Associate Planner Russell.

Associate Planner Russell outlined the municipal code amendments in a power point presentation.

Councilmember Ibarra questioned the one car garage for new dwellings, but the wording states you can have a one-car garage if you less than 1825 square feet then you can apply for a use permit. Under the ordinance today, if you have a one-car garage and you want to add on to your home, the threshold is 1825 square feet but you can apply for a use permit for over that amount. He said he did not see consistency in proposing new dwellings because it is being limited to less than 1825 square. He said the threshold and use permit process could still be used but treat a new dwelling as if it was being treated as an existing house with a one-car garage.

Aknin said in the current ordinance there is an inconsistency. He said if you have a home and it only has a one-car garage and it is proposed with your addition to have less than 1825 square feet, you are allowed to keep a one-car garage. If an individual proposes to go over those 1825 square feet, as an addition, they are allowed to apply for a use permit in order to keep that one car garage and not supply a second space. For new homes with the current code, two car garages have to be put in. This makes the two situations more consistent.

Councilmember Ibarra said if the muni code is being changed, why do you still have to go through a use permit? **Aknin** said as this was being developed, the thought was this was a change.

Councilmember O'Connell said new homes if they are building a new home 1825 square feet or less, they are allowed a one car garage; if it is bigger than that, they have to go through a use permit process on a substandard lot.

Councilmember Ibarra asked why there isn't a use permit process for new dwellings as there is for existing buildings? **Aknin** said they still want a smaller home to be built on a smaller lot but they write the code in way that says if you build a home under 1825 square feet, it is allowed by right, if a home is built over 1825 square feet, it is a use permit process similar to an existing home.

Mayor Ruane opened the public hearing.

John Barrilier, N. Anselmo said there is nothing said about having a parking space. He said it should be written. **Aknin** said the material is a summary; however, the ordinance says you must have a garage space.

M/S Medina/Ibarra to close the public hearing and passed with all ayes.

M/S Medina/Ibarra to waive the first reading with the change and passed with all ayes.

Councilmember O'Connell introduced the ordinance for adoption and passed with a unanimous vote.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: (Moved to follow Item 11.)

10. CONDUCT OF BUSINESS:

- a. Adopt Resolution Approving the City of San Bruno's Residential Design Guidelines.

Community Development Director Aknin reviewed the residential design guidelines. He thanked Larry Cannon who is in the audience this evening.

Associate Planner Russell highlighted the changes made to the guidelines since the presentation to Council in October, which with approval will go into effect April 22.

Councilmember Ibarra thanked Larry Cannon. He said the Residential Design Guidelines makes it easier for staff and the Planning Commission and it is a friend of the design professional.

Councilmember O'Connell said everything is so much clearer and she appreciated the landscaping part.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

Mayor Ruane introduced Isaac Mejia of Don Pico's Bistro and the Rib Shack who commented on the sustainable food packaging and the fact he found a company with very good products.

11. Receive Annual Report from the Bicycle & Pedestrian Committee.

Randy Brase introduced chair Walter Byrd, and acknowledged the other members of the Committee. He recapped the group's accomplishments for 2009 and gave an overview of the Committee's plans for 2010.

Councilmember Ibarra said he is on CCAG and has noticed bicycle and pedestrian are becoming big. He encouraged the committee to promote biking events.

Mayor Ruane thanked the Committee for all they do.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: (moved to follow Item 11.)

John Barrielier, N. San Anselmo said he went to City Hall and saw an advertisement for Fire Captain. He said there should be a cap on hiring and promotions, a freeze.

b. Adopt Resolution Approving Amendment to City Council Agenda Format.

City Clerk Bonner gave an overview of the staff report and asked for questions.

Councilmember O'Connell asked for clarification that the Redevelopment Agency would be identified. **Clerk Bonner** concurred.

Vice Mayor Medina introduced the resolution for adoption and passed with a unanimous vote.

b. Receive Report Regarding the City of San Bruno's Green Fleet Initiative.

Central Garage Manager Lind gave an overview of the City's Green Fleet and asked for questions.

Councilmember Salazar asked about the availability of alternative fuels. He asked if bio-diesel is available in the surrounding area where the City could purchase it at a reasonable cost? **Lind** said some other cities use it, he said he knew South San Francisco used it and Daly City uses a small amount and he believed it was available at the Airport. He said they could look into purchasing it from another agency.

Councilmember Salazar asked about the efficiency and cost of bio-diesel, he asked if it was cost effective or an environmental issue. **Lind** said it is both.

Councilmember Salazar asked about having ethanol available for the police vehicles, he asked if that was on the horizon. **Lind** said nothing is available in our general area; there is one in Berkeley and some private ones in San Francisco.

Councilmember Salazar asked about clean diesel, how does it differ from dirty diesel? **Lind** said more efficient, and the emissions are low.

Councilmember Salazar asked about CO2 production, if it is based on miles driven or is there another formula. **Lind** said it was based on a study and miles driven were used for our fleet.

Vice Mayor Medina asked about portable light towers and if they are more efficient or do they need to be replaced. **Lind** said they are not replaced until they need to be.

Mayor Ruane said he was glad this is being looked at.

d. Adopt Resolution Authorizing Application for California Department of Transportation Section 190 Funds in the Amount of \$10,000,000 for the Construction of the San Bruno Grade Separation Project and Authorizing the City Manager to Execute Memorandum of Understanding with the Peninsula Corridor Joint Powers Board to Pass Through the Section 190 Funds.

Public Services Director Fabry gave an overview of the staff report and asked for questions.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

g. Receive Report and Recommendation from Staff and the Parks and Recreation Commission Regarding a Project to Install Synthetic Grass at Lion's Field and Provide Direction to Staff. (This item moved to follow Item 10. d.)

Community Services Director Schwartz gave an overview of the staff report and acknowledged Commissioners Pierce and Davis who were available for questions. He said this was an informational report and they were looking for direction.

Greg Pierce, Chair, Parks and Recreation Commission followed up on Randy's suggestion that this project is a win/win. He talked about the savings and the opportunities to bring in more revenue.

Laura Davis, Parks and Recreation Commission talked about Youth and Adult Soccer using Lions field. She said her son played a full game in Half Moon Bay on a synthetic field.

Mayor Ruane asked what 517 hours equate to? **Schwartz** said a quarter of a position.

Mayor Ruane asked who supplied the water? **Schwartz** said it is part of the regular water system; it is broken up for all the facilities.

Mayor Ruane asked if there was a large contingency? **Schwartz** said the pre-construction work has not been done.

Vice Mayor Medina said he was concerned about parking. He asked staff look into the 75 spots CalTrain has. **Schwartz** said they would look into it.

Vice Mayor Medina said there have not been a lot of changes over the last couple of decades. He asked if the Firehouse could be utilized?

Councilmember Ibarra said park and lieu fees could all be used up. He asked if the commission had considered what would be done if those fees were not available. **Schwartz** said the Commission has talked about that and have discussed other projects where park and lieu fees may be acceptable uses, not just the swimming pool but the dog park as well. The preconstruction work will from \$150,000 to \$200,000. He asked for permission to look into a fundraising program. He also said they have applied for one grant and are looking at other grants.

Councilmember Ibarra said if Crestmoor were lost, he said we would anticipate some park in lieu fees. **City Manager Jackson** said it would depend on the use of the property.

Councilmember O'Connell asked where the new restroom would be placed and she strongly advocated a restroom/concession combination. **Schwartz** said there has been a lot of discussion; he said there was an area close to the spectators that is being looked at.

Councilmember O'Connell asked if the restrooms/concession stands could be a part of the study? **Schwartz** concurred.

Councilmember O'Connell asked if the artificial turf was easier to clean than lawn because of the geese population at Lions' field? **Schwartz** said there is an irrigation system installed and it can be hosed down. He said he would investigate the geese question.

Councilmember O'Connell said the life expectancy is ten to fifteen years. She asked if the added money in rentals could be put back into the eventual replacement.

Councilmember Salazar said he was impressed with the package that was put together.

Mayor Ruane said it was a great package and he asked staff to bring back something formal. **Vice Mayor Medina** agreed.

e. Adopt Resolution Authorizing the City Manager to Execute an Agreement for Shared Police Chief Services Between the Cities of Millbrae and San Bruno.

City Manager Jackson gave an overview of the staff report where Police Chief Services would be shared with San Bruno and Millbrae for one full year and automatically renew for two consecutive years and asked for questions.

Councilmember Salazar said he would imagine Chief Telford works more than 40 hours a week. He asked if there is any idea of what the impact will be? He asked if things would be delegated? **City Manager Jackson** said all of the above were probably true.

Chief Telford said he has three capable commanders to cover if he is not available.

City Manager Jackson said the City of San Bruno's issues are covered presently if the Chief is not available, as is done with the Fire Department.

Councilmember Salazar asked if there would be any other benefits which can be shared?

City Manager Jackson said that is not a consideration made with the Fire Chief. That is something that would need to be looked at.

Vice Mayor Medina said serving on the subcommittee, this was not a problem. He said this is a step which will assist us greatly to offer a savings for both cities.

Vice Mayor Medina introduced the resolution for adoption and passed with a unanimous vote.

f. Adopt Resolution Authorizing the City Manager to Execute an Agreement with Municipal Resource Group LLC to Prepare a Law Enforcement Services Analysis, Report and Recommendations for the Cities of Millbrae and San Bruno and Authorizing Appropriation of \$27,000 for San Bruno's Share of the Study Cost.

City Manager Jackson gave a brief overview of the staff report and said there were two members, Mike Oliver and Tom St. Clair from Municipal Resource Group LLC to talk about an array of analyses they would be putting together for consideration.

Councilmember Salazar said he felt there should be some savings in sharing. He suggested use of staff rather than a consultant would be more beneficial. The City has no reserves and staff appears to be shrinking. He said staff going through this exercise might be a good development tool. He said to do it in house rather than a hiring an outside consultant.

Mike Oliver said staff is always involved in the discussions. He said it builds a synergy. He said that sometimes it makes them not objective. In house solutions don't really get you where you want to go.

City Manager Jackson added staff most likely has the ability, but she said it would take substantially longer, exposure and experience to other situations would take significantly longer. She said our service capacity has been reduced.

Councilmember Ibarra asked the challenges. **Oliver** said it is too early to have a sense. There are situations where it won't work, but that will be pointed out.

Vice Mayor Medina asked if a lot of staff would be talked to in both cities? **Oliver** said a sample of as many as possible.

Vice Mayor Medina said independent eyes looking at the situation is a viable opportunity for our future.

Mayor Ruane said the foundation is laid and it has been a good relationship with fire. It is very positive and it will be interested to see what will be flushed out.

Vice Mayor Medina introduced the resolution for adoption and passed with four ayes and one nay, Councilmember Salazar.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: (moved to follow Item 10.a.)

Receive Annual Report from the Bicycle & Pedestrian Committee.

12. COMMENTS FROM COUNCIL MEMBERS:

Vice Mayor Medina said Lions and Rotary each gave \$500 toward the Easter Egg hunt. He thanked the groups for coming forward during these difficult times.

13. CLOSED SESSION:

Mayor Ruane said they would be going into closed session with no reportable action.

a. Closed Session for Purpose of Consulting with Legal Counsel Regarding In The Matter of City of San Bruno, Complaint No. R2-2010-0004, for Administrative Civil Liability, Filed Before California Regional Water Quality Control Board, San Francisco Bay Region, February 16, 2010. (Cal. Gov't Code s. 54956.9(a).)

b. Closed Session to Confer with Legal Counsel Regarding *Baykeeper v. City of San Bruno, United States District Court, Civ. Case No. 00753 SC* (Cal. Gov't Code section 54956.9.)

c. Closed Session for the Purpose of Conferring with Legal Counsel Regarding Pending Litigation in FCC Program Access Complaint, *Wave Division Holdings, LLC, et al. v. Comcast Corp, et al., File No. CSR-8257-P* (Cal. Gov't Code s. 54956.9(a).)

d. The City Manager and Human Resources Director Request a Closed Session Pursuant to Cal. Gov't Code Section 4957.6 Regarding Direction for Labor Negotiations with the San Bruno Professional Fire Fighters Associations, Public Safety Mid-Management Bargaining Unit, Miscellaneous Group, Mid Management Bargaining Unit, San Bruno Police Bargaining Unit and San Bruno Management Employees Association.

14. ADJOURNMENT:

Mayor Ruane closed the Council meeting at 9:30 with a moment of silence in memory of Gus Franzella, the former Mayor's father who passed away on Sunday. The next regular City Council Meeting will be held on March 23, 2010 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the regular City Council Meeting of
March 23, 2010

Carol Bonner, City Clerk

Jim Ruane, Mayor